

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87706 of 2025

Arising Out of PS. Case No.-627 Year-2025 Thana- BIDUPUR District- Vaishali

1. Md Islam Son of Md. Usman R/V Nayatola Pakri, P.S. - Bidupur, Dist. - Vaishali.
2. Santosh Ray @ Santosh Kumar Son of Chanarik Ray @ Raj Balam Ray R/V Nayatola Pakri, P.S. - Bidupur, Dist. - Vaishali.
3. Chhathu Ray Son of Chanarik Raky R/V Nayatola Pakri, P.S. - Bidupur, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Pandey, Adv.
For the State	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bidupur P.S. Case No. 627 of 2025, dated 16.10.2025, registered for the offences punishable under Sections 274, 275 of the B.N.S. (corresponding to Sections 272, 273 of the I.P.C.) and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, on 15.10.2025 the informant along with other policemen proceeded on special raid duty and secret information was received that on the banks of Ganga Ghat, Pakri, persons namely Mohd. Islam, Santosh Rai, and Chhaththu Rai,



were engaged in the business of country-made liquor and were preparing to dispose the same. The Police team proceeded there and after seeing the police vehicle, they escaped under cover of darkness. On searching the area, ten sacks filled with liquid were found kept alongside the rural road. Upon search total 600 litres of country-made liquor was recovered. Regarding the persons who fled, information was given by the local Chowkidar, who said that Mohd. Islam, Santosh Rai,, Chhauthu Rai, all residents of Naya Tola Pakri, P.S. Bidupur, District Vaishali, along with other partners, conduct a liquor business in partnership, bring liquor from Ganga Diara, and that the recovered liquor also belongs to them.

4. Learned counsel for the petitioners by taking to the seizure submits that the recovery has been made from the bank of river Ganga situated at village Pakri and as per the F.I.R. these petitioners are said to have manage to flee away from the spot. It has fairly been submitted that petitioner no. 1 has one antecedents, while petitioner nos. 2 and 3 have no antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and/or premises belonging to the petitioners and accordingly, this Court is inclined to grant anticipatory bail to the petitioners.



7. Considering the fact that the recovery is made from the open place near bank of Ganga river, let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 627 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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